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A LIMITED LIABILITY PARTNERSHIP

October 16, 2019

VIA ECF

The Honorable Colleen McMahon
United States District Court
Southern District of New York
500 Pearl Street, Room 2550
New York, New York 10007

Re: *In re Namenda Direct Purchaser Antitrust Litig.*, 15-cv-7488 (CM)

Dear Judge McMahon:

The Parties write jointly to apprise the Court of certain proposed corrections to the Court's admitted exhibits Order (ECF No. 886).

Based on the Parties' review of the final pre-trial conference transcript, the thirteen exhibits identified below should also be admitted:

- DTX-320. This omission appears to be a typographical error as DTX-321 is listed twice in the Order, and the first entry describes the Court's ruling on DTX-320, *see* Tr. 52:24-54:12.
- DTX-445. The Court overruled Plaintiffs' hearsay and relevance objections and admitted the exhibit, *see* Tr. 60:9-17.
- DTX-777, -779, -780, -781. The Court overruled Plaintiffs' timeliness objections and admitted the exhibits subject to redaction, *see* Tr. 63:5-64:2.
- PX-1210, -1212, -1214, -1216, -1352. Defendants withdrew their objections to these exhibits, which were then admitted at the pretrial conference, *see* ECF No. 885; Tr. 110:24-111:10.
- PX-989, -1521. Defendants also withdrew their objections to these exhibits prior to the pretrial conference but they were not on the list of admitted documents, *see* ECF No. 885. These documents are only on Plaintiffs' Phase II exhibit list.

In addition, based on the Parties' review of the final pre-trial conference transcript, PX-181 is listed as an admitted exhibit, but the Court reserved its ruling on this exhibit, *see* Tr. 85:12-87:19.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Beth A. Wilkinson", followed by a long horizontal line.

Beth A. Wilkinson

CC: Stuart E. Des Roches
Bruce E. Gerstein